JUN 2.1. 2006 45

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the

date shown below.

Dated: June 16, 2006

Signature

Katherine L. Neville

Docket No.: 31075/40037

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Zankel et al.

Application No.: 10/812,849

Filed: March 30, 2004

For: MEGALIN-BASED DELIVERY OF

THERAPEUTIC COMPOUNDS TO THE

**BRAIN AND OTHER TISSUES** 

Art Unit: 1649

Examiner: Daniel E. Kolker

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO - 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

All patents and publications in the attached Form PTO - 1449 are supplied herewith, with the exception of the U.S. Patent Documents in accordance with the waiver of the requirement under 37 CFR 1.98 (a)(2)(i). It is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for the instant application under any section of 35 U.S.C. §102 or 35 U.S.C. §103.

In accordance with 37 CFR 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that

Application No.: 10/812,849 Docket No.: 31075/40037

the Supplemental Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

This Supplemental Information Disclosure Statement is being filed before the receipt of a first office action on the merits pursuant to 37 CFR 1.17(p). As such no fee is required. No additional fees are believed to be necessary, however, the Commissioner is hereby authorized to charge any deficiency in the fees filed or credit any overpayments to our Deposit Account No. 13-2855.

Dated: June 16, 2006

Respectfully submitted,

Katherine L. Neville

Registration No.: 53,379

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Agent for Applicant

JUN 2 1 2006

PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

work Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449A/B/PTO Application Number 10/812,849 INFORMATION DISCLOSURE March 30, 2004 Filing Date STATEMENT BY APPLICANT First Named Inventor Todd Zankel Art Unit 1649 (Use as many sheets as necessary) Daniel E. Kolker **Examiner Name** Sheet 31075/40037 1 Attorney Docket Number

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2</sup> ( if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	

		FOREIG	ON PATENT	DOCUMENTS	· · · · · · · · · · · · · · · · · · ·	
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Τ°
				•		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind-of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>		
	C59	Canals et al., J. Neuroscience, 24(35):7727-7739 (2004)			
	C60	Ferrer et al., Brain Research, 866, 257-261 (2000)	1		
	C61	Kells et al., Molecular Therapy, 9 (5) 682-688 (2004)			
	C62	Spires, et al., J. Neuroscience, 24(9) 2270-2276 (2004)			
	C63	Zuccato et al., Science, 293, 493-498 (2001)			
	}				
	L .				
			1		

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	Date	
Signature	Considered	

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.